

CELEBRATION AT WESTMINSTER, VT. JANUARY 15, 1927

TO COMMEMORATE THE 150th ANNIVERSARY OF THE

DECLARATION OF INDEPENDENCE OF VT.

Gc
974.3
V583c
1770211

M. L.

REYNOLDS HISTORICAL
GENEALOGY COLLECTION

✓

69

ALLEN COUNTY PUBLIC LIBRARY



3 1833 01092 4345



Digitized by the Internet Archive
in 2019

<https://archive.org/details/celebrationatwes00unse>

Celebration at Westminster, Vt.

JANUARY 15, 1927

To Commemorate the One ^{150th} Hundred Fiftieth Anniversary
of the Declaration of Independence of Vermont
Vt.

1 1 1

Held under the Auspices of the Westminster
Citizens' Committee and the Vermont State
Sesqui-Centennial Commission : : :

1 1 1

PUBLISHED BY

THE VERMONT STATE SESQUI-CENTENNIAL COMMISSION

1927

Calculation of Watermills

By A. M. ...

The Commission on the ... of the ...

...

Table with 2 columns and 10 rows of data.

1	...
2	...
3	...
4	...
5	...
6	...
7	...
8	...
9	...
10	...

...

The ... of the ...

Declaration of the Independence of Vermont

An Address by

HON. FRANK L. FISH

*at the Vermont State Sesqui-Centennial
Celebration at Westminster*

January 15, 1927

1205(1)

1770211

F

Vermont. *Sesqui-centennial commission.*

843

Celebration at Westminster, Vt., January 15, 1927, to com-

.946

memorate the one hundred fiftieth anniversary of the declaration of independence of Vermont, held under the auspices of the Westminster citizens' committee and the Vermont state sesqui-centennial commission. [Bennington?] The Vermont state sesqui-centennial commission, 1927.

38 p. 23^{cm}.

Cover-title: Declaration of the Independence of Vermont; an address by Hon. Frank L. Fish at the Vermont state sesqui-centennial celebration at Westminster, January 15, 1927.

1. Vermont—Hist.—To 1791. 2. New Hampshire grants. I. Fish, Frank Leslie, 1863-

363745

Library of Congress



F52.V5

r28d2;

27-27396 Revised

LIST

No.	Name	Address	Remarks
1	John Doe	123 Main St	Member
2	Jane Smith	456 Oak Ave	Member
3	Robert Brown	789 Pine Rd	Member
4	Mary White	101 Elm St	Member
5	James Black	202 Cedar Ln	Member
6	Elizabeth Green	303 Birch Dr	Member
7	William Hall	404 Spruce Way	Member
8	Margaret King	505 Willow Ct	Member
9	Charles Lee	606 Ash St	Member
10	Susan Clark	707 Hickory Ave	Member

Vermont State Sesqui-Centennial Commission

1 1 1 1 1

FREDERICK H. BABBITT, Bellows Falls
JOHN BARRETT, Grafton
EDWARD L. BATES, Bennington
JAMES C. COLGATE, Bennington
WALTER H. CROCKETT, Burlington
ADDISON E. CUDWORTH, South Londonderry
DOROTHY CANFIELD FISHER, Arlington
FRANK L. FISH, Vergennes
FREDERICK G. FLEETWOOD, Morrisville
BENJAMIN GATES, Montpelier
ROBERT E. HEALY, Bennington
FRED A. HOWLAND, Montpelier
EARLE S. KINSLEY, Rutland
HALL P. MCCULLOUGH, North Bennington
GERTRUDE D. WEBSTER, Manchester
JOHN SPARGO, Bennington
A. F. STONE, St. Johnsbury
JAMES B. WILBUR, Manchester
BENJAMIN WILLIAMS, Proctor
STANLEY C. WILSON, Chelsea

OFFICE OF THE COMMISSION
BENNINGTON, VERMONT

JOHN SPARGO, *President*
CHARLES H. DEWEY, *Treasurer*

EDWARD L. BATES, *Secretary*
CHARLES E. TUTTLE, *Curator*

HONORARY PRESIDENT
GOVERNOR FRANKLIN S. BILLINGS

HONORARY VICE-PRESIDENTS

GUY W. BAILEY, Burlington
STODDARD B. BATES, Derby
MRS. W. H. BRADFORD, Bennington
E. S. BRIGHAM, St. Albans
HORACE S. BROWN, Springfield
MISS MARY R. CABOT, Brattleboro
DANIEL L. CADY, Burlington
S. CARL CARPENTER, Richford
MRS. CHARLES M. CONE, Hartford
JOHN C. COOLIDGE, Plymouth
PORTER H. DALE, Island Pond
F. R. DICKERMAN, Bristol
FRANK C. DYER, Salisbury
E. W. GIBSON, Brattleboro
FRANK L. GREENE, St. Albans
LYMAN S. HAYES, Bellows Falls
HARLAND B. HOWE, Burlington
P. M. MELDON, Rutland
M. B. JONES, Waitsfield
ARTHUR H. KEYES, Rutland
PHILIP R. LEAVENWORTH, Castleton
EDWARD S. MARSH, Brandon
MISS KATHERINE HUBBELL, Bennington
PAUL D. MOODY, Middlebury
KARL A. PEMBER, Woodstock
C. A. PLUMLEY, Norwich
GEORGE M. POWERS, Morrisville
REDFIELD PROCTOR, Proctor
JOHN W. REDMOND, Newport
W. A. ROOT, Bennington
LEIGHTON P. SLACK, St. Johnsbury
MRS. E. C. SMITH, St. Albans
WENDELL P. STAFFORD, St. Johnsbury
W. W. STICKNEY, Ludlow
MASON S. STONE, Montpelier
CHARLES E. TUTTLE, Rutland
H. S. WARDNER, Windsor
JOHN E. WEEKS, Middlebury

WESTMINSTER CITIZENS' COMMITTEE

REV. FRANKLIN H. REEVES, <i>Chairman</i>	MRS. GEORGE C. WRIGHT
MR. JOHN WILEY	MISS HELEN HALL
MR. GEORGE WALKER	MRS. CAROL WILLIAMS
MR. JOHN HOLMES	MR. EMIL MATTISON
MR. JOHN RICHMOND	MR. RAYMOND NIMS

COMMITTEE ON HISTORICAL RELICS

MR. JOHN RICHMOND, <i>Chairman</i>	MR. PAUL HARLOW
MR. GEORGE WALKER	MR. L. A. MILLER
MR. L. G. CONVERSE	

THE UNIVERSITY OF CHICAGO

CHICAGO, ILLINOIS

THE UNIVERSITY OF CHICAGO
 LIBRARY
 540 EAST 57TH STREET
 CHICAGO, ILLINOIS 60637
 TEL: 773-936-5000
 FAX: 773-936-5000
 WWW: WWW.CHICAGO.EDU

THE UNIVERSITY OF CHICAGO
 LIBRARY
 540 EAST 57TH STREET
 CHICAGO, ILLINOIS 60637
 TEL: 773-936-5000
 FAX: 773-936-5000
 WWW: WWW.CHICAGO.EDU

THE UNIVERSITY OF CHICAGO
 LIBRARY
 540 EAST 57TH STREET
 CHICAGO, ILLINOIS 60637
 TEL: 773-936-5000
 FAX: 773-936-5000
 WWW: WWW.CHICAGO.EDU

THE UNIVERSITY OF CHICAGO
 LIBRARY
 540 EAST 57TH STREET
 CHICAGO, ILLINOIS 60637
 TEL: 773-936-5000
 FAX: 773-936-5000
 WWW: WWW.CHICAGO.EDU

PROGRAM

OPENING REMARKS REV. F. H. REEVES, *Chairman*

READING OF LETTERS AND MESSAGES

MUSIC MALE QUARTET

HISTORICAL ADDRESS HON. FRANK L. FISH

MUSIC MALE QUARTET

REMARKS HON. JOHN BARRETT

SOLO MR. FRED METCALF

CLOSING REMARKS HON. L. S. HAYES

THE WHITE HOUSE

WASHINGTON

December 24, 1926.

My dear Sir:

The convention which opened at Westminster on January 15, 1777, and which on the following day made the historic resolve of independence, was composed of as fine a body of men as New England could produce. Such men as Ira Allen, Nathan Clark, Ebenezer Hoizington, John Burnham, Thomas Chittenden and Jacob Burton, represented the best of New England character. They were men remarkable for their patriotism and their Christian character. The Commonwealth they founded has never failed to exemplify the same primary virtues. Vermont's contribution to the successful issue of the struggle for national independence is universally recognized by historical authorities. Throughout the entire history of the nation Vermonters have worthily maintained the high example set by the patriotic founders.

The character and capacity of the people of Vermont at the time they resolved on independence is most adequately portrayed in the nature of the Constitution which they finally adopted as the fundamental law of their state. It has in it the declaration of the great principles of liberty coupled with the guarantees necessary for the full protection of life and property. It was a correct charter of a republican form of institutions founded on self-government. While recognizing and supporting the rights of the people, it was eminently conservative and sound. A state that was represented by such ideals was bound to prosper and increase in strength and character.

I am glad that while the celebration is being held at Westminster many similar gatherings of Vermonters in various parts of the United States will be commemorating the same

anniversary. I shall be grateful to you if you will convey to the friends at Westminster, and also to those gatherings in other cities for a like purpose, my heartiest greetings and assurances that in spirit I shall participate with them in commemoration of the birth of my native state.

Very truly yours,

CALVIN COOLIDGE.

MR. JOHN SPARGO,
President, Vermont State
Sesqui-Centennial Commission,
Bennington, Vermont.

of the same kind as the one which is now
being used in the United States. It is
the only one of the kind which is now
being used in the United States. It is
the only one of the kind which is now
being used in the United States.

THE

THE

THE

THE EXERCISES

With exercises suitable to mid-winter in Vermont the ancient town of Westminster celebrated, on Saturday, January 15, 1927, the one hundred and fiftieth anniversary of the Declaration of the Independence of Vermont. The celebration was held in the Community House and, in addition to the formal program in the evening, there was displayed in the Historical Room during the day a notable collection of historical relics, mainly of local derivation and interest, which was greatly appreciated.

Despite the fact that the most severe snowstorm of the winter was raging, making travel almost impossible, the hall was crowded to its full capacity when the time for opening the evening exercises arrived. The Rev. Franklin H. Reeves, chairman of the Westminster Citizens' Committee, opened the meeting with a few remarks appropriate to the occasion and then read a number of letters and messages from prominent public men, including President Coolidge, Governor Weeks and Hon. John Spargo, President of the Vermont State Sesqui-Centennial Commission. President Coolidge's letter, which is printed in full on preceding pages, was loudly applauded.

The principal feature of the evening was the historical address of Hon. Frank L. Fish, Justice of the Supreme Court of Vermont, who spoke as follows:

Vermont's Declaration of Independence

This is a memorable and a happy occasion. It is the one hundred and fiftieth anniversary of our Declaration of Independence. We are a people of three hundred and fifty thousand inhabitants, living in fourteen counties made up of two hundred and forty-eight townships and cities. Our legislative, executive, and judicial departments are well organized and are in the discharge of efficient service. Our lawmakers are assembled at the State capitol to advance by wise enactments the interests of our people. Education is universal, and our schools and colleges are filled to overflowing. Agriculture, our principal industry, is looking more prosperous. Trade is good. Manufactures are thriving. Our

quarries are busy. Our facilities for transportation are growing better. The home comforts have been multiplied, and labor in field, forest, factory and mine is receiving a good reward.

Nationally, too, we are not less fortunate. We are made up of forty-eight sovereign states. Our jurisdiction extends also over islands in the Pacific and the Caribbean and a great area of mainland whose northern boundary is the Arctic Ocean. From a population of three millions, scattered along the Atlantic seaboard, we have grown to one hundred and ten millions of inhabitants. Our wealth is enormous, our resources well nigh inexhaustible, our capacity for development almost limitless. We like to think of ourselves as being the greatest nation in the world. It would be more modest to let some other nation say it. As patriotic Americans we look with pride upon our country. We rejoice in all that has made it great and we revere the great names that have attached to its one hundred and fifty years of glorious history. In this list Vermont has not been without representation in the past. But her glory shines forth today over all her sister states, for her honored son rules this nation. When we contemplate the decade and a half that the fathers devoted to appeals to be permitted to join the union of states, that fell upon deaf ears, and look upon Calvin Coolidge, born and reared among our rugged hills, as the President of the mighty nation into which that union grew, we cannot but exclaim, as was said of old, "The stone that the builders rejected has become the head of the corner." How honored we likewise are that when our President made up his cabinet he chose another Vermonter, John Garibaldi Sargent of the Vermont Bar, as his Attorney General! On the physical side he has the brawn and the stature of Ethan Allen, while on the mental side he has the poise, the learning and the character of Jacob Collamer. So you see, my friends, that in him are combined the qualities of the two men whose statues honor Vermont in the Statuary Hall.

It was a happy omen for the success of the anniversary events of the year 1927 that the President should have loaned his law cabinet officer to Vermont for the purpose of making the first appeal to our inhabitants to value and

treasure the sacred rights that the fathers purchased through toil and blood. It is likewise a matter of the greatest joy and pride that the promise seems to be that the President will come himself in August, when the crowning event of the year will be the one hundred and fiftieth anniversary of the battle of Bennington.

When the invitation came to speak here I said at once, "And Moses said . . . put off thy shoes from off thy feet, for the place whereon thou standest is holy ground." What place is there in our beloved Vermont that at once commands so much veneration and respect? Westminster was the first township to be granted in Vermont by the colony of Massachusetts Bay. It was the place of meeting of the first convention to oppose the tyrannous measures of Great Britain. It was the scene of the first bloodshed of the Revolution. Here our Declaration of Independence was promulgated. Here, too, lived our first United States Senator, General Stephen Row Bradley, who presented the resolution in Congress which gave us the Bradley flag of fifteen stars and fifteen stripes—one new star for Vermont and one for Kentucky. It was our national emblem for twenty-three years. It was the flag that waved on land and sea in the second war with Great Britain. It was unfurled to the breeze by Commodore Macdonough's fleet as it moved out of the Otter Creek to meet the British flotilla on Lake Champlain, and under it he knelt in prayer to the God of Battles before he began the engagement off Cumberland Head.

Thirty-seven years ago last week it was my privilege and happiness to hear in this village that gifted son of Westminster, the Rev. Charles W. Dickenson, deliver his eloquent address on a review of the facts connected with the old and new buildings here. The occasion was the dedication of the new town hall. He was long since called to a higher and a lasting service, but he did not go without first leaving among you his monument over yonder, the Kurn Hattin Home. Were I to make an appeal tonight to interest the men and women of Westminster I should ask to follow the path he then took, conscious as I am that you who heard him would know how feebly I was walking in his foot-

steps. The occasion for which we are assembled calls for a wider range of discussion and for material that does not appeal wholly to local interest and pride. In order to understand what took place here a century and a half ago it will be necessary to go back far enough in the history of the interesting period which preceded that date to see the relation of earlier events to those which occurred here. This is not the time or place to discuss the many causes that led to the Revolution. One of the specific grievances was the Stamp Act. This was passed in 1765 and imposed a tax on all legal documents. It provided, furthermore, that if they were not properly stamped they should be null and void. This act was later repealed but in the repeal Parliament put a sting in what was called a Declaratory Act, which maintained that the British government had the right to bind the colonies "in all cases whatsoever." Then followed the passage of another act, equally unjust, taxing paper, glass and tea. The colonists, through Benjamin Franklin, who represented us in London, sent petitions against this later enactment, but these were disregarded. In the words of Patrick Henry, "they had only produced additional violence and insult." England sent armies and navies to America to enforce her unjust laws. To drive the colonists to obedience she closed the harbors to all but English vessels and finally closed the port of Boston. We all understand in a sentence what the trouble was. It was taxation without representation. The colonies were accustomed to raise taxes in their colonial assemblies and they denied the right of the English Parliament to tax them in a body to which they did not belong.

George III came to the English throne in 1760. One year before on the Plains of Abraham the question had been settled for all time that North America was to be English and not French. The treaty of peace that followed and a treaty with Spain at the same time filled English subjects and king alike with joy, but in the wake of the war trailed the debts that it had cost the victors. That these debts were a proper tax on the colonies was a popular notion of the English mind and no one adopted it more pertinaciously than George III. Fundamentally the position which the

English assumed was as contrary to parliamentary government as the encroachments of Charles I had been. Parliaments were held to be properly vested with authority, not because they represented the national will, but simply because they were parliaments, and it had not occurred to the English mind that there was any good reason why an English parliament should not with as much propriety levy a tax on tea on the wharves of Boston as on the docks of London. It is interesting in this connection to recall that Blackstone, the great English law writer, maintained in his *Commentaries* that the principles of political and civil liberty, which had been preserved in the Bill of Rights and other enactments, did not apply to America. It so happened, however, that in 1770 a thousand copies or more of his *Commentaries* were sold in America, and therein he had discussed with great beauty of diction and power of statement the blessings that had come through the Great Charters of Liberty to the people of England. The colonists seized upon the principles which Blackstone set forth and employed them in giving legal form to democratic forms of government, in framing the indictment against George III in the Declaration of Independence, and later in drafting the Federal constitution.

The Pilgrims had crossed the sea to escape the tyranny of the Old World, and after they had landed on these shores one of their first acts was to subscribe to the Mayflower Compact in which they declared their right to freedom, to self government and to choose their own rulers. As early as 1743 the "United Colonies of New England" was established by the association of Massachusetts and several lesser colonies. This organization laid down the principles of government, among which was the establishment of a legislature and the creation of the offices of magistrates and a governor. In 1765 ten of the colonies sent representatives to a conference in New York to protest against the Stamp Act. It was distinguished by its adherence to the American theory of popular government and its promulgation of a Bill of Rights.

It was the strong desire of the colonies to remain loyal to the mother country, yet they would insist on their in-

herent rights not to be taxed in a parliament where they could have no vote. The first Continental Congress—convened in 1774—was held in the vain hope of effecting a reconciliation with England. When the session of the same body convened in 1775 the battles of Concord and Lexington had been fought, Ticonderoga and Crown Point had been captured under the leadership of Ethan Allen and Seth Warner, and we were at war and under the desperate necessity of furnishing men and means to maintain it. The next session resulted in the adoption of the Declaration of Independence. The resolution which led to this was offered by Richard Henry Lee of Virginia and seconded by John Adams of Massachusetts. It declared “that these united colonies are and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown and that all political connection between them and the state of Great Britain is, and ought to be, fully dissolved.” On July fourth following was adopted the declaration of momentous consequences to us and to the world.

When the representatives of the New Hampshire Grants met here 150 years ago Washington had lost the battle of Long Island and been driven from New York. The American fleet on Lake Champlain had been destroyed. Ethan Allen was a British captive, and the plans for the grand campaign of the British for the following summer were under way. By these plans, while General Carleton remained at Quebec, General Burgoyne, who was then in England, was to lead a force from Canada for the reduction of Fort Ticonderoga; Colonel St. Leger was to go up the St. Lawrence to Lake Ontario and take Fort Stanwix and then come down the Mohawk valley and join Burgoyne, while Sir William Howe was to go up the Hudson and join the other armies at Albany and with the united forces overthrow New York. Such was the situation, at hand and prospectively, when the fathers met here in the “county hall” in Westminster to adopt Vermont’s Declaration of Independence.

Let us turn from the thirteen colonies and the wider field of events that we have been discussing to that territory to which was attached the name we love—Vermont. Let

us trace here step by step the beginnings out of which we grew and the substance out of which the fathers made a state.

Vermont had no individual colonial existence. Whether she belonged to Massachusetts, or New Hampshire, or New York, all of whom claimed her, she had no rights or responsibilities in a colonial sense. The land was extra-provincial land, without the limits of any original jurisdiction whatever and subject to be changed from one jurisdiction to another by the sovereign mandates of the King of Great Britain. Vermont was the last of the New England states to be settled. For many years we were French. As early as 1666 the government of New France established a fortified outpost at Isle La Motte. In 1724 the British built Fort Dummer in the opposite part of the state to guard the English settlements in Massachusetts. Between these outposts of civilization roamed the Indian. There was practically no other occupant. The defeat of the French in Canada put an end to Indian raids and Vermont became an inviting field for home makers. Immigrants flocked hither from Massachusetts and Connecticut. They sought out homes in the wilderness. They cut down the forests. They reared log cabins. They burned the great trees and beneath the ashes they planted crops. They were soon the possessors of fertile fields. They made roads, did something towards schools and churches and commenced an organization for the political advantage of the people.

Unfortunately the early colonial boundaries were unsettled and vague. Massachusetts soon found that Fort Dummer, her defence on the north, was not in Massachusetts but in New Hampshire. A commission in 1740 had so decided and the line as it now exists was found to be the true line of her northern boundary. Then came New Hampshire claiming all that is now Vermont as a part of that colony. Benning Wentworth was the first royal Governor of our eastern neighbor. For a period of fifteen years, commencing in 1749 and ending in 1764, he made grants of one hundred and thirty-one townships in Vermont. These rights to the early settlers in Vermont were made upon the assumption that the boundary between New England and New York

was a line running from the southwest corner of Connecticut on Long Island Sound northerly to Lake Champlain. There was no question raised as to the validity of the New Hampshire charters if the land granted was not within the jurisdiction of New York. But New York claimed that its jurisdiction extended over all Vermont. It has sometimes been stated that New Hampshire was not aware of the claims of New York when its colonial Governor made the grants of Vermont territory. This is not true. The record shows that New York protested that the land belonged within her jurisdiction when Benning Wentworth commenced issuing the charters. He made the grants in spite of the protest, but it is fair to assume that the grantees did not know of the claim of a hostile title. Primarily the title to all the land was in the king. It was his by right of conquest. He parted with the title through his representatives. The colonial Governor of New Hampshire was his agent in this regard and what he did he witnessed with the Great Seal which declared His Majesty's power and pleasure. It was the same with the colonial Governor of New York. Whoever took one of these titles had the King's title—at least had the right so to suppose.

New York claimed title to Vermont from a grant made by King Charles II to his brother, the Duke of York. The Duke later became King and when he did so the claim was that his title became merged in the crown. That this would make the lands that were included in the grant of Charles II crown lands does not appear to have been questioned. But the question arose over the uncertainty of the description in the original deed. One of the boundaries in this deed is "from the west side of Connecticut River." The title by which New Hampshire claimed to have jurisdiction over Vermont depended on the description of its southern boundary on the north line of Massachusetts Bay "extending westward until it meets with our other Governments." New Hampshire claimed that this description gave her jurisdiction as far to the west as the Massachusetts line extended. New York claimed to the Connecticut River. Here was material for a great contest. The stakes were great and the consequences far-reaching. The profits to the

grantors, the colonial governors, were enormous. The results to the grantees, if their titles were infirm, meant loss and ruin.

In 1764 New York procured an Order from the King in Council which declared the Connecticut River to be the boundary between that colony and New Hampshire. Forthwith the New York colonial representative of the crown began making grants in Vermont. It would not have resulted in oppression had these grants been of land that had not already been conveyed to settlers. But the interpretation by New York of the ruling from the throne gave it a retrospective effect, and so New York claimed all the land in Vermont and the right to make grants of land covered by deeds from New Hampshire. It was out of the overlapping of titles that trouble arose. Fair dealing ought to have dictated that where land had once been granted in the name of the King there was an end, but not so here. Yet the declared object of the crown in authorizing his colonial governors to grant land was to promote the clearing up and cultivation of the country, and they were forbidden in their instructions to make grants unless they were needed by the grantees for actual settlement.

At first blush it would seem as though it would have made no difference to the King whether this territory was settled under New York titles or New Hampshire titles, but the evidence is that he listened to the argument of Cadwallar Colden, then at the head of the colonial administration in New York, as Lieutenant-Governor. He was a high-toned, tory aristocrat. He knew that New York was a favored colony, and in making the appeal to the crown to enlarge his own great colony at the expense of the smaller territory of New Hampshire he urged this argument, that "the New England governments are founded on republican principles, and these principles are zealously inculcated in their youth, in opposition to the principles of the constitution of Great Britain. The government of New York, on the contrary, is established, as nearly as may be, after the model of the English Constitution. Can it be good policy to diminish the power and extent of His Majesty's province of New York to extend the power and influence of others?"

...the ... of the ...

...the ... of the ...

...the ... of the ...

It ought to be said in favor of the King that he probably did not intend that New York should make grants of land already granted by New Hampshire, but his efforts in attempting to withhold the hands of the New York colonial officials from so doing were futile. They did not cease from making grants even after an order from the crown had been made in this regard, and when the mad orgy in grants was at an end the record shows that the New York colonial governors had received personally in fees the handsome sum of \$66,112.74. Moreover they had the title to 2,115,610 acres of Vermont land. To accomplish this result patents had been granted to favorites who had deeded back the land to the officials. It was a mercenary impulse that prompted the movement that led to the granting of the New York titles, and it is not surprising that the grants were of the more desirable and valuable sections of land in our state, and that some of our towns are misshapen in consequence of a desire to give of the richest and best.

It is not my purpose to pass on the titles which became involved in this case. We don't do that as much as was done formerly. In the earlier days it was one of the common tasks of the court to trace titles back to the original proprietors and to consider the strength of the chain, link by link. This was one of the tasks that used to fall to Judge Caleb Harrington of our early Supreme Court. He presented the curious anomaly of being a great judge without being a lawyer. When a lawyer for a slave owner was offering affidavits of ownership of the slave, such as had usually been found sufficient to show title, the judge was unconvinced. What more did his honor want, inquired the man of law? "A bill of sale from God Almighty," said the judge.

Whatever may be said on the subject of a legal title, as it applied to the lands of Vermont which were held by overlapping conveyances, the equities of the case were all with the settlers. They had purchased in good faith, they had moved onto their possessions, they had improved the land, and were making progress in the development of the country. Within fifteen years after the French and Indian War closed history records that twenty thousand persons established

homes in Vermont, nearly all of them under New Hampshire charters. They were a sturdy race of English stock. They had but little on the side of culture, but they had strength, bravery and energy on their side and these they enlisted in the hardships of pioneers in a new country that must be reclaimed in order to become habitable. They were in the discharge of this enterprise of reclaiming it when they were advised that they had no titles, and that they must pay a second time for their land or suffer it to be taken from them on writs of ejectment. Some paid again for what they had once paid. Others could not pay, and others still would not suffer the injustice of having to pay a second time. In this situation it is natural that suits should have been brought to dispossess the settlers. These were made returnable at Albany, where the courts having jurisdiction over our territory were held.

How many cases were tried and how many judgments entered I do not know, but the most notable of these was heard in the year 1770. This trial was dignified by the presence of Ethan Allen and Jared Ingersoll. The latter was an eminent Connecticut lawyer who had been employed to defend the ejectment suits in the courts at Albany. Allen was there as the representative of the people. The New Hampshire charters were offered in evidence and excluded. There was nothing to do but to return to another jurisdiction, where the rights of the settlers would receive just consideration. That jurisdiction was Vermont. Allen had it in mind when he told the gentlemen who counselled submission that "the gods of the valleys are not the gods of the hills," and when asked what he meant by the King's attorney, replied, "Come up to Bennington and you shall see."

Who was this Allen who first appears in the records of our state at this time? He was a Connecticut youth, born February 13, 1739, at Litchfield. Shortly before this time he had immigrated to Vermont and settled in Bennington, where he was later joined by his four younger brothers. Both by physical and mental endowment he was qualified as a leader of the settlers. He had a giant frame, immense strength, and the courage of a lion. On the other side he had proportional mental endowments. He could state a

case with the precision of a trained lawyer. He could argue a point with the force of a logician. He could harangue a crowd of rough men into the doing of desperate deeds. He had a ready word at his tongue-tip for every emergency. He was as swift with his right arm or his long sword as with his tongue. He had a vision for leadership and his place was always at the front.

Such was Ethan Allen when at thirty-two years of age he returned from Albany to Bennington and placed himself at the head of the Green Mountain Boys. Here a hundred men met and resolved not to surrender their lands and to use force, if necessary, in the defence of their property and their rights. The situation was desperate and the remedies severe. The Green Mountain Boys took matters into their own hands. They seized the sheriff and his posse and disciplined them with "the twigs of the wilderness." The Governor of New York offered a price for the delivery of Allen and other ring leaders, and Allen returned the compliment by offering a price for the delivery of the King's attorney. A New York surveyor, engaged in running out lines for claimants from that province, was seized, court-martialed and condemned to punishment. Parties who had taken a saw mill in Vergennes from the first owner were driven out and the mill restored. A justice of the peace acting under Governor Tryon was tied to a tree and given two hundred stripes. A doctor who took sides with New York and threatened defence with sword and pistol was captured, tied to a chair and drawn up twenty-five feet beside the catamount at the Bennington Tavern and suspended there for two hours to the delight of a crowd of settlers. In all cases the homes of the settlers were successfully defended, and no lives were taken.

The Order made by the King in Council in 1767 that no more grants should be made in the disputed territory was not only put in defiance and wholly disregarded, but counties were organized and the machinery for government set up therein. Albany and Charlotte were the western counties and Cumberland and Gloucester the eastern ones.

Let us cross the Green Mountains and look at conditions here. The settlers had suffered less than on the west side.

Here the New York government was functioning. It had its judges, its sheriffs, its attorneys at law. It was represented in the Colonial Congress of New York. It had its court-house standing on the brow of this elevation. This was destined to become the most memorable of the early buildings of Vermont. It was forty feet square and its four walls of hewn timbers faced the four cardinal points of the compass. It was two stories high and clapboarded on the outside. The door facing the street opened into an aisle ten or twelve feet wide that ran east and west through the middle of the lower story. In the southeast corner was a kitchen, and in southwest corner a barroom. Over both of these the jailor presided. In the north part of the lower floor was the jail of two rooms, while upstairs was the courtroom—its walls unfinished, gray and cobwebbed, with beams and braces rough and bare. The rooms were heated by fireplaces that opened from a great chimney near the center of the building. The place came to be known as "the county hall."

What a striking picture this early court house would have presented had it been preserved until now! A silent but impressive witness of the jurisdiction of the King of England, through the colonial administration of New York; of the first outbursts for freedom on the part of the New Hampshire Grants; of the first blood shed in the Revolution; of the Declaration of Independence of the state we love; of the many conventions that assembled here in the interest of the Grants; of the early Vermont courts; of the Allens and Chittenden, and Robinson, and Bradley, and a host of others whose names are household words in Vermont. What other building equals it in historic interest? It became our Independence Hall at last and it should be enshrined in our memories with the affection which is bestowed in a national sense on that larger hall which was the birthplace of the nation. This hall was the birthplace of a state. Alas, more than one hundred and twenty years ago (in 1806) the court-house was taken down.

The King's court met here from 1772, when the court-house was built, until 1775, when the "massacre" occurred. The state courts were held here from 1779 until 1787. The

Legislature met here in Westminster in 1780, 1783, 1789, and 1803, but not in the court-house.

We have been discussing questions in which New York and Vermont took violent issues. Let us now turn to a question that found us on common ground. A committee of correspondence in New York City had sent word to the supervisors of Cumberland county to learn the feelings of the inhabitants in regard to the usurpations of the mother country. The letter was unheeded by the supervisors but it came to the notice of Dr. Reuben Jones of Rockingham and Captain Azariah Wright of Westminster, two of the boldest leaders of the people. This resulted in the letter being laid before every town in the county. This was becoming a democratic government where the people were to be consulted. Accordingly every town was invited to send delegates to Westminster on the 17th of October, 1774. When the Chester delegates were elected the meeting adopted this resolution:

That the people of America are naturally entitled to all the privileges of free born subjects of Great Britain, which privileges they have never forfeited; that every man's estate, honestly acquired, is his own, and no person on earth has a right to take it away without the proprietor's consent, unless he forfeit it by some crime of his committing; that all acts of the British parliament, tending to take away or abridge these rights, ought not to be obeyed; that the people of this town will join with their fellow American subjects in opposing in all lawful ways every encroachment on their natural rights.

On the day appointed eighteen delegates from twelve towns met in convention in the county hall and held a session of two days. The New York letter was brought forward. It related to the duty on tea, the Boston port bill, and several other arbitrary declarations of the English government. A committee was appointed which reported next day. The report reviewed the sufferings of the pioneers in the settlement of the new country, the hardships encountered in subduing the wilderness and converting it into fruitful fields, and the greatest surprise was expressed that Americans should by the late Acts of Parliament have been deprived of the right of calling that their own which by their industry they had honestly acquired; that the King and Parliament should dare to say with impunity they had "a right to bind the colonies in all cases whatsoever," and

Experiments were conducted in the laboratory at the University of Illinois at Urbana-Champaign.

The first experiment was designed to determine the effect of the type of stimulus on the response. The results showed that the response was significantly higher for the visual stimulus than for the auditory stimulus. This was expected, as the visual stimulus was more salient and easier to process. The second experiment was designed to determine the effect of the intensity of the stimulus on the response. The results showed that the response was significantly higher for the high intensity stimulus than for the low intensity stimulus. This was also expected, as the high intensity stimulus was more salient and easier to process. The third experiment was designed to determine the effect of the duration of the stimulus on the response. The results showed that the response was significantly higher for the long duration stimulus than for the short duration stimulus. This was also expected, as the long duration stimulus was more salient and easier to process. The fourth experiment was designed to determine the effect of the frequency of the stimulus on the response. The results showed that the response was significantly higher for the high frequency stimulus than for the low frequency stimulus. This was also expected, as the high frequency stimulus was more salient and easier to process. The fifth experiment was designed to determine the effect of the complexity of the stimulus on the response. The results showed that the response was significantly higher for the complex stimulus than for the simple stimulus. This was also expected, as the complex stimulus was more salient and easier to process. The sixth experiment was designed to determine the effect of the novelty of the stimulus on the response. The results showed that the response was significantly higher for the novel stimulus than for the familiar stimulus. This was also expected, as the novel stimulus was more salient and easier to process. The seventh experiment was designed to determine the effect of the predictability of the stimulus on the response. The results showed that the response was significantly higher for the unpredictable stimulus than for the predictable stimulus. This was also expected, as the unpredictable stimulus was more salient and easier to process. The eighth experiment was designed to determine the effect of the ambiguity of the stimulus on the response. The results showed that the response was significantly higher for the ambiguous stimulus than for the unambiguous stimulus. This was also expected, as the ambiguous stimulus was more salient and easier to process. The ninth experiment was designed to determine the effect of the contrast of the stimulus on the response. The results showed that the response was significantly higher for the high contrast stimulus than for the low contrast stimulus. This was also expected, as the high contrast stimulus was more salient and easier to process. The tenth experiment was designed to determine the effect of the size of the stimulus on the response. The results showed that the response was significantly higher for the large stimulus than for the small stimulus. This was also expected, as the large stimulus was more salient and easier to process.

The results of the experiments show that the response is significantly higher for the visual stimulus than for the auditory stimulus, for the high intensity stimulus than for the low intensity stimulus, for the long duration stimulus than for the short duration stimulus, for the high frequency stimulus than for the low frequency stimulus, for the complex stimulus than for the simple stimulus, for the novel stimulus than for the familiar stimulus, for the unpredictable stimulus than for the predictable stimulus, for the ambiguous stimulus than for the unambiguous stimulus, for the high contrast stimulus than for the low contrast stimulus, and for the large stimulus than for the small stimulus. This suggests that the response is influenced by a variety of factors, including the type of stimulus, the intensity of the stimulus, the duration of the stimulus, the frequency of the stimulus, the complexity of the stimulus, the novelty of the stimulus, the predictability of the stimulus, the ambiguity of the stimulus, the contrast of the stimulus, and the size of the stimulus.

The results of the experiments also show that the response is significantly higher for the high intensity stimulus than for the low intensity stimulus, for the long duration stimulus than for the short duration stimulus, for the high frequency stimulus than for the low frequency stimulus, for the complex stimulus than for the simple stimulus, for the novel stimulus than for the familiar stimulus, for the unpredictable stimulus than for the predictable stimulus, for the ambiguous stimulus than for the unambiguous stimulus, for the high contrast stimulus than for the low contrast stimulus, and for the large stimulus than for the small stimulus. This suggests that the response is also influenced by the intensity of the stimulus, the duration of the stimulus, the frequency of the stimulus, the complexity of the stimulus, the novelty of the stimulus, the predictability of the stimulus, the ambiguity of the stimulus, the contrast of the stimulus, and the size of the stimulus. The results of the experiments therefore suggest that the response is influenced by a wide range of factors, and that the response is generally higher for stimuli that are more salient and easier to process.

that they should attempt to exercise that authority by taking at their pleasure the properties of the King's American subjects without their consent. Then the report proceeds:

He who has nothing but what another has power at pleasure lawfully to take away from him, has nothing that he can call his own, and is, in the fullest sense of the word, a slave—a slave to him who has such power; and as no part of British America stipulated to settle as slaves, the privileges of British subjects are their privileges, and whoever endeavors to deprive them of their privileges is guilty of treason against the Americans, as well as the British constitution.

In view of the foregoing sentiments the members of this convention resolved that, as true and loyal subjects of the King they would spend their lives in his service, and as they would defend him and wish his reign to be long and glorious, so would they defend their just rights, as English subjects, against every power that should attempt to deprive them of them while breath was in their nostrils and blood in their veins; that considering the late acts of the British Parliament in blocking up the port of Boston, which was viewed as arbitrary and unjust, "inasmuch as the Parliament have sentenced them unheard, and dispensed with all the modes of law and justice which we think necessary to distinguish between lawfully obtaining right for property injured, and arbitrarily enforcing to comply with their will, be it right or wrong, we resolve to assist the people of Boston in defence of their liberties to the utmost of our abilities."

Not to be misunderstood in their rules of conduct they then say:

Sensible that the strength of our opposition to the late acts consists in a uniform, manly, steady, and determined mode of procedure, we will bear testimony against, and discourage all riotous, tumultuous, and unnecessary mobs which tend to injure the persons or properties of harmless individuals; but endeavor to treat those persons whose abominable principles and actions show them to be enemies to American liberty, as loathsome animals not fit to be touched or to have any society or connection with.

This report was read paragraph by paragraph and unanimously adopted. Thus early did the men of this county take their stand against the acts of British oppression in a convention held in Westminster.

About the time the first convention was in progress here the Continental Congress adopted the "non-importation, non-consumption, and non-exportation association." This

act was hailed with joy by most of the lovers of liberty. The convention already held here had been so successful that it was thought best to call another. Circulars were issued to the different towns giving notice of the convention and inviting the attendance of delegates. They assembled on the 30th of November and adopted all the resolves of the Continental Congress passed a few weeks earlier, and bound themselves by a promise to religiously adhere to the association above named.

A third convention met here February 7 and lasted three days. Delegates from twelve towns responded. A standing committee of correspondence was chosen from twenty-one towns for the purpose of keeping the county informed as to the doings of the Sons of Liberty in the different colonies. Measures were also taken to have the proceedings of this and the preceding conventions reach the public. This convention, too, took up the question of bringing about a better administration of justice in the county courts. The delegates complained of the burden of the courts, of the increase of lawsuits, the multiplication of charges, the expense of building the court-house, the calling off of seventy farmers at each session of court as grand and petit jurors without sufficient pay, the expense of maintaining representatives in the colonial legislature, and the high fees charged by lawyers. They desired fewer sessions of court, a smaller number of jurors, a reduction in bills of costs. They asked that all deeds might be recorded in the town where the land lies, that a probate court be established in the county, and that justices' processes be served by constables. It was intended that these recommendations should reach the colonial Legislature in the form of a petition, which was prepared for the purpose. But before the petition reached its intended destination that body had held its last session, and in the mean time the county court in Cumberland county had been stopped by violence, never to resume business.

The next event that took place at the court-house was the massacre of March 13, 1775. It was the King's seat of justice for a county that included what is now the counties of Windham and Windsor. It had been the place for holding

the King's court for two years. The officers of this court, while receiving their appointments from the colonial Governor of New York, were nevertheless officers of the crown. A regular session of this court was due by law to be held on March 14th. For reasons already appearing there had grown up a strong feeling between the people on the one hand and the court officials on the other. Complaint was made that the people were poor and that they would lose their property on executions. Vexatious suits were also complained of and imprisonments that were not authorized by law. Our best Windham County historian (Judge Wheeler) in discussing the massacre says that the resistance here did not appear to have arisen from dissatisfaction with the decisions of the court nor because of the dispute about the title to lands, but that it seemed rather to have been a part of the general uprising of the country in opposition to royal rule.

It is in this light that I wish to discuss the massacre. The Whigs represented the people; the Tories, the crown. The former had decided that the administration of justice should no longer remain with the latter, and to that end it was proposed to prevent the session of the court that was to convene on the 14th of March. It was a matter in which the fathers were tremendously in earnest. This is evident from the fact that forty or more of them took the pains to go to Chester to ask Judge Chandler, who was to preside, to call off the term. He told the party that he thought it would be for the good of the county not to hold the session, but that a criminal case required the meeting of the court. The day before the court was to meet the people gathered in large numbers, some accounts say as many as a hundred, in the court-house to request that the court be not held. This is another evidence that there was something more in the movement to prevent the session than the mere interest in the litigation that was pending. Judge Chandler went into this meeting of the people, where he was asked whether the judges would consult with a committee as to the expediency of convening the court on the morrow. He answered that the judges could not enter into a discussion as to "whether His Majesty's business should be done or not,"

but gave his word that the people could occupy the court-house without molestation until morning, when the court would assemble and hear what those who were aggrieved might wish to offer. The people's party remained in possession of the court-house and to make their possession the more certain they armed themselves from the woodpile of Captain Azariah Wright. Captain Wright was a leader of the people and he was a man of war. Let anyone who doubts this read the story of how he prevented his being put out of the church because he had shot a bear on Sunday. He marched into the House of God with his gun on his shoulder and when the proceedings began, looking to his dishonorable dismissal, he leveled the trusty firearm first at the pastor and then at the deacon, who tried to do the pastor's bidding in reading his dismissal, and when all was over and the frightened congregation had fled to the door he calmly shouldered his gun, walked out and locked the door after him. What did the people arm themselves with clubs for? Because they thought they might have to resort to force to hold the court-house. Force against whom? The King; and the King came in the night in the person of his sheriff, and a posse of men armed with clubs and guns, and they drove out the people's party, whose clubs were no match for powder and lead, and took possession of the King's court-house. They killed my kinsman William French, mortally wounded Daniel Houghton, injured several others, and imprisoned quite a party in the King's jail. Court met next morning in the King's court-house and adjourned until afternoon. It adjourned then, never to meet again. The King had departed forever from Westminster.

The order of his going was not of his choosing either. Armed men liberated his prisoners. They seized and imprisoned his guardians of the law. They took them a little later, to make more certain of holding them, a hundred miles under a guard of soldiers and locked them in a stronger prison than that at Westminster, over which they had no jurisdiction whatever. And here at Northampton, that now rules the nation, they left the King in jail. Events must be judged by what follows as well as what precedes them.

When this armed party left Westminster, taking with them by force all that represented kingly authority that had had to do with the massacre, what was going on here? The streets were filled with soldiers. They had gathered in popular uprising on hearing of the massacre, in defence of the interests of the people—from Massachusetts Bay, from New Hampshire and from Vermont. There were half a thousand of them. Those who first met the shock of arms in the battles of Concord and Lexington were but a handful compared to them in numbers. The massacre was the result of a protest against the arrogance of the King, and it resulted in events so revolutionary that when viewed in the light of what preceded and followed it is impossible to dissociate it with the Revolution itself.

In order to understand history we are told that we must know the philosophy of history. What is the philosophy of the events that cluster around the occurrence that took place here March 13, 1775? What had preceded that fateful day? All the acts of British oppression of which the colonists complained. The challenges from the eloquent lips of American patriots. The meeting of the Continental Congress and its declaration of rights. Assemblies everywhere up and down the colonies to protest against the mother country. Already Massachusetts was in rebellion and the King's troops were in readiness to strike the first blow. The revolution was lodged everywhere in the hearts of liberty-loving men and it needed but the right touch to make the issue one of force. That first touch came in Westminster where the first organized opposition to the King's authority was exercised. That opposition was an armed opposition, organized by the people to ward off the King's officers should they attempt to possess the King's courthouse. The King's men made an attack on the home guard and blood was shed. We must decide whether those who shed their blood here were a "mob," as the King's party were pleased to call them, or whether they were a part of that great movement for human liberty which resulted in our independence. I prefer the latter interpretation, and I like to attach Westminster to Concord, and Lexington, and Bunker Hill, and Hubbardton, and Bennington, and

Saratoga, and all the other fields made red by American blood shed in the cause of liberty; and I like to think of the young man whose sister's blood flowed in my mother's veins as the first martyr in that cause.

We now come to the fourth convention to be held in Westminster. It is made up this time from Gloucester as well as Cumberland county representatives. The circle of action is growing larger. Its session began on April 11, 1775. Its resolutions declared that the inhabitants were in great danger of having their property unjustly, cruelly and unconstitutionally taken from them by the arbitrary and designing administration of the government of New York; that the lives of the inhabitants are in the utmost hazard and imminent danger, under the present administration, as witness the malicious and horrid massacre of the 13th ult., and that it was the duty of the inhabitants as predicated on the eternal and immutable law of self-preservation, to wholly renounce and resist the administration of the government of New York, till such time as opportunity was afforded to lay their grievances before the King, with a petition to be taken out of that jurisdiction and either annexed to some other government *or incorporated into a new one as may seem best*. On the committee of remonstrance appears the name of Ethan Allen.

On the 6th of June following was held here the fifth convention of which we have record. Its object was stated to be "that the sense of the people in said county of Cumberland should be fully known with regard to the hostile measures that are using by the British Parliament to enforce the late cruel, unjust and oppressive acts of the said British Parliament through the British colonies in America." Resolutions were likewise passed declaring the acts of the British Parliament for raising revenue in America unjust, illegal and contrary to the Bill of Rights, and pledging the convention to resist and oppose the said acts, in conjunction "with our brethren in America, at the expense of our lives and fortunes, to the last extremity, if our duty to God and our country require the same."

Let us leave Westminster now and go over the Green Mountains where stirring scenes had taken place. After

Allen had made his visit here he had captured the fort at Ticonderoga and sent thundering down the ages his immortal command to surrender "in the name of the Great Jehovah and the Continental Congress." I will not discuss this event but will rather commend for the consideration of my hearers the splendid address of Mr. Spargo on "Ethan Allen at Ticonderoga" made at Castleton last year. Both in a literary sense and historically it is a great address.

The late Senator Redfield Proctor rendered distinguished service for Vermont in both war and peace, but no service was more opportune than his rescue from obscurity and his publication of the records of the early Vermont Conventions. We are coming now into a field of action that includes the whole state. These records were written by Dr. Jonas Fay on the leaves of an old account ledger of his which found their way into the Library of Congress from the hands of a New York antiquarian who had a very doubtful title to them. These records were preserved in photographic copies which were handsomely bound and distributed very generously throughout Vermont in 1904. The pages are carefully and plainly numbered, the first being page 30 and the last 71. These pages contain the record of the making of a state, and it seems not a little fitting with the times which they have preserved that they should have been found in the rough book that the clerk had used for his personal accounts.

These records begin with December 20, 1775. The first record is a warrant to the inhabitants of the New Hampshire Grants west of the Green Mountains to meet at the house of Cephas Kent in Dorset, January 16, 1776, to act on several articles, the principal ones being to see if the law of New York shall have force where it does not infringe on the properties, or title of land, or riots in defence of the same; to see if an agent shall be sent to the Continental Congress, and to see whether the convention will consent to associate with New York or by themselves in the cause of America.

Dorset becomes now an active rival for Westminster in the honors of the early meetings in the Grants and the Inn of Cephas Kent is almost as famous as the "county hall."

The meeting warned for the 16th of January was duly held and the principal business transacted was a vote taken in favor of representing the particular case of the inhabitants of the Grants to the Continental Congress by remonstrance and petition, and the appointing of a committee to prefer the petition to that end.

The next record is of a warrant under date of June 24, 1776, calling a meeting at the same place to receive the report of Heman Allen from the Continental Congress; to learn the minds of the convention relative to their association with the province of New Hampshire and in case that is objected to to see whether the convention will agree to do duty in conjunction with the Continental troops (only) as members of the district of land which they inhabit; to see if the convention will recommend that arms be furnished our troops agreeably to a resolve of the Continental Congress, and to transact any other business thought necessary for the liberties of the colonies in general and the New Hampshire Grants in particular.

The meeting which the foregoing warrant gave notice of was held July 24, 1776. The remonstrance to Congress is fully set forth. In it is recited the different steps which led up to the New York controversy, the action of the crown in respect thereto, and the circumstances in detail which made up the claim of the New Hampshire Grants for recognition before the Continental Congress. Heman Allen reported the withdrawal of the petition from Congress and the reasons therefor.

After this matter of business had received attention the convention voted, with but one dissenting vote, that application be made to the inhabitants of the New Hampshire Grants to *form the same into a separate district*. The convention then voted to arm our troops according to the requirements of the Continental Congress. Then followed a provision for treating with the inhabitants on the east side of the Green Mountains relative to associating with this body and the appointment of the committees to bring this about. After a recitation of the reasons why the fathers could not join with New York comes this solemn undertaking to aid the United States by themselves:

We, the subscribers inhabitants of that district of land, commonly called and known by the name of the New Hampshire Grants, do voluntarily and solemnly engage under all the ties held sacred amongst mankind at the risk of our lives and fortunes to defend, by arms, the United American States against the hostile attempts of the British fleets and armies, until the present unhappy controversy between the two countries shall be settled.

It was further resolved:

that any person, or persons inhabitants of the New Hampshire Grants that shall in future subscribe, and return an association to any the committee, or committees of safety for either of the counties in the province of New York, or to the provincial Congress thereof, otherwise than the association contained in these records and subscribed by the several delegates of this Convention, shall be deemed enemies to the common cause of the New Hampshire Grants.

Adjournment was taken to the same place of meeting on September 25, 1776. At this meeting the vote taken in July on forming the state into a separate district was again taken up and this time the article was passed in the affirmative without one dissenting vote.

It was voted at this meeting that suitable provisions be made so that the whole of the inhabitants of the New Hampshire Grants on each side of the Green Mountains should be notified and have proper opportunity to join and coincide with the measures taken and to be hereafter taken for the benefit of forming the district into a separate state. This was to be a democracy and the voice of the majority was to prevail. It was voted that any laws of New York or directions of that state would not be accepted in the future or be binding on the Grants. The nearer the fathers approached their own independence the less they depended on New York.

The convention of the 25th of September, 1776, was attended by fifty-six delegates, representing thirty-six towns on the two sides of the Green Mountains. This convention entered into the following covenant:

Therefore the convention being fully convinced that it is necessary that every individual in the United States of America should exert themselves to their utmost abilities in the defense of the liberties thereof and that this convention may the better satisfy the public of their punctual attachment to the said common cause at present as well as heretofore we do make and subscribe the following covenant, (viz):

We the subscribers] inhabitants of that district of lands commonly called and known by the name of the New Hampshire Grants being legally delegated and authorized to transact the public and political affairs of the aforesaid district of lands for ourselves and constituents do solemnly covenant and engage that for the time being we will [solemnly]

and religiously adhere to the several resolves of this or a [future] convention constituted on said district by the free voice [of the] friends of American liberties that shall not be repugnant to the resolves of the honorable Continental Congress relative to the general cause of America.

Committees were appointed to carry to the inhabitants of Gloucester and Cumberland counties the proceedings of this meeting and to secure the approval thereof and return the same to the clerk. One of the interesting features of the convention was the appointment of a committee to "prepare a situation to send to the State of New York to know if they have any objection against our being a separate state from them; and make report as soon as may be."

Adjournment was made this time to Westminster and here was held the next state convention. It convened October 30, 1776. It was the sixth meeting that was held here in the interest of the cause of liberty and the first in the cause of statehood. The records of this meeting recite the difficulties that had been experienced in getting word to the inhabitants and returns from them on account of so many having been called in the militia to defend the frontier. It was voted that an answer be made to a pamphlet sent from the Provincial Congress of New York to Cumberland county and with it a pamphlet setting forth the advantages that would arise to the people of the New Hampshire Grants "by forming into a separate state be wrote, printed and communicated to the inhabitants as soon as may be." That a manifesto be put in the public newspapers setting forth the reasons in "easy" terms why we should choose not to connect with New York; and that a petition be drawn to the Provincial Congress of that state requesting their approbation for the district of the New Hampshire Grants to form themselves into a state separate from New York. Measures were taken for reaching the inhabitants with the proceedings of the convention and for getting returns from them for the clerk. This was to be done through committees with the assistance of the members of the convention. An adjournment was then taken to the third Wednesday of the next January.

We now come to the final record, the record of the notable event that we celebrate tonight. The members of the convention that declared our independence as a state were

Nathan Clark, Esq., Captain John Burnham, and W. Nathan Clark, Junior, of Bennington; Lieutenant Martin Powell of Manchester; Captain John Hall of Castleton; Captain Joseph Bowker and Captain Heman Allen of Rutland; Lieutenant Leonard Spalding of Dummerston; Lieutenant Dennis Lockland of Putney; Nathaniel Robinson, Esq., and Mr. Joshua Webb of Westminster; Captain Samuel Fletcher of Townshend; Colonel Thomas Chandler of Chester; Doctor Reuben Jones and Lieutenant Moses Right of Rockingham; Mr. Ebenezer Hosington of Windsor; Mr. Stephen Tilden of Hartford; Mr. Benjamin Emmonds of Woodstock; Major Thomas Mordock and Jacob Burton of Norwich; and Major Joseph Williams and Lieutenant Nathaniel Seeley of Pownal. These were all that appeared in person; but the towns of Pomfret, Barnard and Royalton were represented by letter as voting for a new state.

Captain Joseph Bowker was in the chair, Captain Ira Allen was clerk, and Doctor Reuben Jones his assistant. A committee was appointed to examine the members and ascertain how many were in favor of forming a separate state and how many were against it and to make a report to the convention.

The report of this committee was that more than three-fourths of the people in Cumberland and Gloucester counties that had voted were for a new state, and in the language of the report, "the rest we view as neutrals."

Then came the vote of dramatic interest and memorable consequences that the district of land commonly called and known by the name of the New Hampshire Grants be a new and separate state and for the future to conduct themselves as such.

Two committees were then appointed, one to draft the Declaration and one to draw a plan for further proceedings, and each to report to the convention.

The former committee reported:

The committee appointed to bring in a draft of a declaration setting forth the right the inhabitants of that district of land commonly called and known by the name of the New Hampshire Grants have to form themselves into a state or independent government do make the following report to the Honorable Convention convened at Westminster January 15th A.D. 1777, viz: That whenever protection is withheld, no allegiance is due, nor can it of right be demanded.

2d. That whenever the lives and properties of a part of the community have been manifestly aimed at by either the legislative or executive authority of such community, necessity requires a separation. Your committee are of opinion that the foregoing has for many years past been the conduct of the monopolizing land traders of the Colony of New York, and that they have not only been countenanced but encouraged by both the legislative and executive authorities of said state or colony. Many overt acts in evidence of this truth are so fresh in the minds of the members that it would be needless to recite them. And whereas the Congress of the several states did in Congress on the 15th May, 1776, in a similar case pass the following resolution, viz:

“Resolved therefore that it be recommended to the respective assemblies and conventions of the united colonies where no government is sufficient to the exigencies of their affairs has been heretofore established such government as shall in the opinion of the representatives but conduce to the happiness and safety of their constituents in particular and America in general.” . . .

Your committee having duly deliberated on the continued conduct of the authority of New York before recited and the equitableness on which the aforesaid resolution of Congress, and considering that a just right exists in the people to adopt measures for their own security, not only to enable them to secure their rights against the usurpations of Great Britain but also against that of New York, and the several other governments claiming jurisdiction of this territory, do offer the following declaration, viz:

This convention (whose members are duly chosen by the free voice of their constituents in the several towns on the New Hampshire Grants) in public meeting assembled, in our own names and in behalf of our constituents, do hereby proclaim and publicly declare that the district of the territory comprehending and usually known by the name and description of the New Hampshire Grants of right ought to be and are hereby forever hereafter to be considered as a separate free and independent jurisdiction or state by the name & to be forever hereafter called and known and distinguished by the name of New Connecticut *alias* Vermont and that the inhabitants that at present, or that may hereafter become residents either by procreation or immigration within said territory shall be entitled to the same privileges, immunities and enfranchisements as is allowed, and on such conditions and in the same manner as the present inhabitants in future shall or may enjoy: which are and forever shall be considered to be such privileges and immunities as the free citizens and denizens which may at any time hereafter be allowed to any such inhabitants of any of the free and independent states of America, and that such privileges and immunities shall be regulated in a Bill of Rights and by a form of government to be established at the next session adjourned of this convention.

The second committee appointed to take into consideration what was further necessary to be transacted at the convention reported:

That proper information be given to the Honorable Continental Congress of the United States of America the reasons why the New Hampshire Grants have been declared a free state and pray the said Congress to grant said state a representation in Congress; and that agents be appointed to transfer the same to said Congress; or the committee be filled up that are already appointed; and that a committee be appointed to draw the draft.

In the same paragraph in which the foregoing appears is the following other interesting record:

That a committee of war be appointed on the East side of the Mountains to be in connection with the committee of war on the West side of the Mountains to act on all proper occasions. That some suitable measures be taken to govern our internal police for the time being, until more suitable measures can be taken. That some suitable way be taken to raise a sum of money to defray the expenses of the agent that is to go to Congress; and for printing the proceedings of this convention which we are of opinion ought to be printed.

Then follows votes that the Declaration of New Connecticut be inserted in the newspapers; that Captain Heman Allen, Colonel Thomas Chandler, and Nathan Clark, Esq., be a committee to prepare the Declaration for the press as soon as may be; and that Doctor Jonas Fay, Colonel Thomas Chittenden, Doctor Reuben Jones, Colonel Jacob Bailey and Captain Heman Allen be the delegates to carry the remonstrance and petition to the Honorable Continental Congress and further to negotiate business in behalf of New Connecticut.

A committee of war was then appointed, appropriations made to defray the expenses of the agents of the new state to Congress, and a committee elected to prepare a letter to the delegates from Cumberland county forbidding them to sit in the provincial Congress of New York.

The latter committee did their work speedily and well and reported:

GENTLEMEN: The general convention consisting of delegates from the several counties and towns through the tract of land known by the name of the New Hampshire Grants have met according to adjournment at Westminster the 15th inst. and have resolved and declared the above district of land shall hereafter be a distinct state or government and the inhabitants thereof have full authority to make such laws as they shall from time to time think fit. The said convention therefore desire and request that you will on sight hereof withdraw yourselves from the convention of the State of New York and appear no more in the character of representatives for the county of Cumberland; as you were not chosen by a majority of the people at large.

The several resolves of this notable convention having been accepted by vote of the delegates, an adjournment was taken to the first Wednesday in June next to the meeting-house at Windsor.

This closes the records as kept by Doctor Fay, save for the list of delegates who assembled at Windsor at the time appointed but did no business further than to adjourn.

Vermont is greatly indebted to Doctor Fay for his services as the clerk of the early meetings of the fathers. Senator Proctor says he was the author of our Declaration of Independence. He shared in many of the papers that were prepared over the controversy with New York and in the negotiations with the Continental Congress. He was clerk of the conventions held at Dorset. His place was taken at the convention here by Ira Allen, another of the great men of our early history. How Doctor Fay came into possession of the minutes of this convention does not appear, nor is there any record of the original notes from which the account book record was made up. That Doctor Fay must have had the original data, most of which he made as clerk himself, is manifest, else he could not have made the record in the account book. The data from which he wrote the record of this convention very naturally, we must assume, came from Ira Allen, the clerk.

The committee appointed to prepare the Declaration for the press, pursuant to the vote of the convention, took some liberties with it. It appeared in the *Connecticut Courant*, March 17, 1777. We had at the time no newspapers in Vermont and we went to a friendly state to promulgate our Declaration through the press. As published the Declaration read:

1770211

Whereas the Honorable Continental Congress did, on the 4th day of July last, declare the United Colonies in America to be free and independent of the crown of Great Britain; which declaration we most cordially acquiesce in: And whereas by the same declaration the arbitrary acts of the crown are null and void, in America, consequently the jurisdiction of said crown granted to New York government over the people of the New Hampshire Grants is totally dissolved:

We, therefore, the inhabitants, on said tract of land, are at present without law or government, and may be truly said to be in a state of nature; consequently a right remains to the people of said Grants to form a government best suited to secure their property, well being and happiness. We the delegates from the several counties and towns on said tract of land, bounded as follows: South on the north line of Massachusetts Bay; East on the Connecticut River; North on Canada line; West as far as the New Hampshire Grants extend:

After several adjournments for the purpose of forming ourselves into a distinct separate State, being assembled at Westminster, do make and publish the following Declaration, viz:

That we will, at all times hereafter, consider ourselves as a free and independent State, capable of regulating our internal police, in all and every respect whatsoever—and that the people on said Grants have the sole and exclusive and inherent right of ruling and governing themselves in such manner and form as in their own wisdom they shall think proper,

150851

not inconsistent or repugnant to any resolve of the Honorable Continental Congress.

Furthermore, we declare by all the ties which are held sacred among men, that we will firmly stand by and support one another in this our declaration of a State, and in endeavoring as much as in us lies, to suppress all unlawful routs and disturbances whatsoever. Also we will endeavor to secure to every individual his life, peace and property against all unlawful invaders of the same.

Lastly, we hereby declare, that we are at all times ready, in conjunction with our brethren in the United States of America, to do our full proportion in maintaining and supporting the just war against the tyrannical invasions of the ministerial fleets and armies, as well as any other foreign enemies, sent with express purpose to murder our fellow brethren and with fire and sword to ravage our defenceless country. The State hereafter is to be called by the name of New Connecticut.

Such is the political history of Vermont in outline to and including the adoption of her Declaration of Independence. It is the history of a rugged people making homes in a rugged country with their own hands. It was a new country covered with great trees that must be cut down before there was land for cultivation. Homes had to be made of these for the shelter of the families. Roads had to be made from settlement to settlement. Wild beasts had to be contended with. The labors every day were those of the pioneer. These in themselves were enough to tax the full strength of the strong men who settled this state. The titles of their lands were called in question and these they had to defend or lose their homes. The courts were too far away and too hostile to their claims to afford relief and necessity created a local court that ruled by force and saved their possessions. A powerful colony claimed jurisdiction over them and threatened to extend that jurisdiction by force. War with a great nation found them in its path. They must resist the first shock of the invading armies. Fellowship was denied in the Continental Congress where the colonies had found strength and comfort in union. We knocked and knocked many a time again at the door but it was never opened to us. Then in the midst of our troubles we organized a state, declaring our independence here and adopting a constitution a little later at Windsor. We established the usual departments of government, provided for a currency, made postal regulations and set in motion the necessary incidents for the operation of a government. In addition to all this our soldiers stood shoulder to shoulder with the men of the colonies in defence

of the rights of America against Great Britain. Where can be found such a record as this? It defies all history for a parallel to it.

I am loath to leave off with Westminster. How fortunate you are—in that son whose vision gave you Kurn Hattin; in that other son who gave you this community house; in having the sacred dust of the first martyr of American freedom; in the tomb hard by where sleep the great Bradleys. "What grave contains such a father and such a son, what sepulchre enshrines the remains of so much human excellence and glory?" In the monument farther off in the same secret spot, witness alike of the Willards, who did so much to preserve your landmarks, and of Vermont's great sculptor, who was born but a few miles from here. But most of all memory clusters around your Independence Hall. Its history has already been told—the King's courts, the people's courts, the seven conventions ending in statehood, the massacre. What other place can be compared with it?

These are great memories and you men and women of Westminster do well to cherish them. Your community is historically rich beyond any other. Preserve its landmarks. Gather in this beautiful building, so well appointed to receive them, the relics of the early days. They will be of constant interest to those who are now here and of priceless value to those who are to follow.

A word to my larger audience in closing. We are happy in a friendship which reaches to every interest which once disturbed us—England, Canada, New York, Massachusetts, New Hampshire. Our relation with all these nations is most cordial but each once had a covetous eye for our territory. We resisted them all and independence was ours. It is natural to think that this independence resulted from the strength of our men—and so it was indeed in great measure. But it was not all due to men. I like to think that when the Maker of Continents upheaved that beautiful elevation that we fondly call the Green Mountains and caught the waters that flowed from the westward in Lake Champlain and released those that fell on the east slope through a channel broad and deep that we call the

Connecticut, he did a good deal in shaping the history of our state. It was never the design that we should cross either of these natural barriers and attach ourselves to any other government beyond. "Nations intercepted by a narrow firth abhor each other that else like kindred drops had been melted into one." It was never the design that we should make our laws in Albany or Concord but rather in the heart of the Green Mountains. We were destined to be an independent people who should work out on the hill-sides and in the valleys beneath Mansfield and Camel's Hump, Killington and Pico—towering sentinels above us—our own problems of government and our own destiny as individuals.

That there was no mistake in the way things were ordered for us let the one hundred and fifty years of our history bear witness. Is there any other state that for its population has given so many distinguished sons and daughters to the world? History says not. The lives of the noble men and women who have made our history glorious are our challenge tonight. We have had a visit to the early days of Vermont. We have seen what the fathers did in the midst of toil, and hardship, and danger. How much more ought to be expected of us who have entered into the rewards of their labors! Shall we be worthy of them? That's the challenge, and we must accept it and carry on the great work which they so well begun, inspired by their strength, their determination, their courage and their faith.

At the close of Judge Fish's address, which was listened to with rapt attention throughout, brief remarks were made by Hon. John Barrett, of Grafton, and Hon. L. S. Hayes, of Bellows Falls, both expressing their high appreciation of the masterly oration by Judge Fish.

